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17 **UNITED STATES DISTRICT COURT**
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

18 DAVID L. DEFREES, et al.,

19 Plaintiffs,

20 v.

21 JOHN C. KIRKLAND, et al.,

22 Defendants,

23 and

24 U.S. AEROSPACE, INC.

25 Nominal Defendant.
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) Case No. CV 11-04272 JLS (SPx)
) consolidated with Case No. CV 11-04574
) JLS (SPx)

) (Derivative Action)

) **PLAINTIFFS' NOTICE OF MOTION**
) **AND MOTION FOR FINAL**
) **APPROVAL OF DERIVATIVE**
) **SETTLEMENT**

) Hearing Date: July 20, 2018
) Time: 2:30 p.m.
) Courtroom: 10A, 10th Floor
) Judge: Hon. Josephine L. Staton

**TO THE COURT, ALL PARTIES, AND THEIR RESPECTIVE
ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that on July 20, 2018, at 2:30 p.m., or as soon thereafter as this matter may be heard, Plaintiffs Frederick Rich, CAMOFI Master LDC and CAMHZN Master LDC (collectively, “Plaintiffs”), through their undersigned counsel, shall move before the Honorable Josephine L. Staton, Judge of the United States District Court for the Central District of California, Southern Division, in the Ronald Reagan Federal Building and United States Courthouse, 411 West Fourth Street, Santa Ana, California, 92701, for an order granting final approval of the settlement.

This motion is based upon this Notice of Motion, Plaintiffs’ memorandum of points and authorities in support thereof, the declarations of Rachele R. Rickert, Michael C. Hefter, Dan Ly and Robert Cormio, the Stipulation of Settlement (the “Stipulation”), any supplemental briefing in further support of this motion, oral argument of counsel, the complete Court files and record in the above-captioned matter, and such additional matters as the Court may consider.

The Stipulation provides that Plaintiffs and Plaintiffs’ Counsel shall take appropriate steps and use their best efforts to obtain final approval of the Stipulation by the Court in accordance with Federal Rule of Civil Procedure 23.1. The Settling Defendants agreed to cooperate with Plaintiffs and Plaintiffs’ Counsel in their efforts to obtain such final approval. Therefore, the requirements of Civil Local Rule 7-3 have been met.

DATED: July 6, 2018

**WOLF HALDENSTEIN ADLER
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RACHELE R. RICKERT
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By: /s/ Rachele R. Rickert
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DATED: July 6, 2018

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DECLARATION CONCERNING CONCURRENCE

I, Rachele R. Rickert, am the CM/ECF User whose identification and password are being used to file the foregoing PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF DERIVATIVE SETTLEMENT. In compliance with L.R. 5-4.1.4(2)(i), I hereby attest that Michael C. Hefter has concurred in this filing's content and has authorized its filing.

DATED: July 6, 2018

/s/ Rachele R. Rickert
RACHELE R. RICKERT

USAE:24825v2